

February 19, 2021

Legislative Recap

A Look Back at Week 6

This week saw limited committee work in the General Assembly as both the House and the Senate engaged in a significant amount of floor debate, especially for a week so early in the legislative session. While education-related legislation did receive debate in both chambers, the vast majority of legislative time was dedicated to non-education issues.

House

The only committee action dealing with K-12 education this week occurred on Tuesday in the House Ways and Means Healthcare Subcommittee. The subcommittee, chaired by Representative Herbkersman, devoted more than 3 hours to testimony from the public on S. 516 and H. 3858. While there are some differences in the two pieces of legislation, both would move educators into Phase 1A for the COVID-19 vaccine and require all districts to offer a five day, face-to-face instructional options to families in the near future. While both pieces of legislation are focused on prioritizing vaccine access for educators, the subcommittee heard testimony from more than 50 individuals representing groups ranging from state agencies to manufactures to various trade associations, with most of these groups also making the case for their inclusion in Phase 1A. From PSTA, both Executive Director Kathy Maness and Director of Governmental Affairs Patrick Kelly offered testimony encouraging subcommittee members to find ways to vaccinate *both* educators and the elderly instead of treating this as an either-or situation. You can view [Kathy's testimony here](#) and [Patrick's testimony here](#). At the end of the hearing, the subcommittee asked PSTA to continue working with the subcommittee and DHEC to develop plans for educator vaccine access, and PSTA engaged in outreach and planning work with state agencies through the remainder of the week.

On the House floor, the following education-related bills were debated:

- H. 3017- was passed on third reading and will head to the Senate. The bill would expand the Palmetto Fellows Scholarship program by awarding scholarships to students attending two-year institutions of higher learning; currently, Palmetto Fellows can only be used at four-year institutions.
- H. 3588- this bill would require high students to take one credit of English and one credit of math OR computer science during their senior year in order to be eligible for the LIFE Scholarship (note- it would NOT make this a requirement for graduation). These credit requirements could be fulfilled via dual enrollment classes. The bill received extensive debate, with some members concerned that the legislation would prevent students from receiving the LIFE Scholarship. As a result, debate on the bill was adjourned and carried forward to this coming Tuesday.
- H. 3610- this bill is the House companion to S. 201 (which the Senate has already passed). The bill increases and clarifies the powers of the state superintendent when declaring a school or district to be in an "educational state of emergency," including giving the superintendent the power to remove the local school board when taking over a district. The House version was amended substantially in committee, making it different in key ways from the Senate version. Most notably, the House version redefined the criteria for

"chronically underperforming schools or districts." The Senate version bases that designation on three consecutive years of unsatisfactory or below average ratings on the annual school report cards. The House version, as amended, bases the designation solely on student test scores (SC Ready, SC PASS, EOC), which is a less holistic measure of school performance than what is provided in the Senate version. The bill received lengthy debate, with several Representatives (including Rep. Brawley, Rep. King, and Rep. Pendarvis) making the case that the legislation will fail to meet its goals without partner legislation to address funding inequities across school districts. The bill was eventually passed on second reading, meaning it will be placed on the calendar for third and final reading on Tuesday, at which point it will head to the Senate.

Senate

The Senate did not address any education legislation in committee this week. The Senate Finance committee had been scheduled to review H. 3608 (charter funding) and H. 3609 (teacher step increases) on Tuesday, but the committee meeting (as well as other meetings) was cancelled due to extended floor debate on legislation concerning the port of Charleston. *This cancellation is typical of the legislative process and does NOT present cause for concern for passage of H. 3609.* The meeting has been rescheduled for next week (see below).

On the full floor, the Senate debated:

- S. 16- this bill would replace the existing half-credit graduation requirement in Economics and Personal Finance with a half-credit course exclusively in Personal Finance. The legislation was moved to the "contested calendar" at the request of Senate Minority Leader Brad Hutto. Senator Hutto objected to the bill in its' current form on the basis that it is unnecessary as the 2019 revisions to the Economics standards address the overwhelming majority of topics required for instruction in S. 16, which is the same position offered by PSTA in testimony against passage of the bill during subcommittee review. Placement on the "contested calendar" does not mean that S. 16 is dead, but it does make it far less likely that it will pass the Senate without significant amendment.
- S. 203- this bill passed on 2nd reading by a vote of 41-0 and will receive 3rd and final reading on Tuesday. The bill clarifies the powers of the Governor to remove local school board members that "willfully commit or engage" in a list of unethical or illegal behaviors.

Legislative Preview A Look at the Week Ahead



The announced education-related legislative actions for the coming week as of the time of this email:

House

- On Tuesday, the full House will pass H. 3610 to the Senate after 3rd reading of the bill and is likely to resume debate on H. 3588.
- The House Ways and Means Healthcare Subcommittee will hold another hearing regarding S. 516/H. 3858 (educator vaccination access) on Tuesday afternoon. This hearing will not include public testimony but is likely to involve updates for the subcommittee from leadership at DHEC and SCDE on plans for educator vaccination.

Senate

- The full Senate will pass S. 203 to the House after 3rd reading on Tuesday.
- The Senate Finance Committee will meet to review H. 3608 and H. 3609 (teacher step increases) on Tuesday. Passage by the full committee could result in passage by the full Senate by the end of next week or the start of the following week.
- The Senate Finance K-12 Subcommittee is scheduled for hearings on Wednesday and Thursday to review funding requests from various groups. These will be the same requests heard during the hearings held by the House Ways and Means K-12 Subcommittee several weeks ago.
- The Senate Education Committee will meet on Wednesday to review S. 376 and S. 38. Both bills deal primarily with higher education, although S. 38 does touch on instruction in the foundations of American democracy in high schools. The current version of S. 38 includes a subcommittee amendment that was suggested by PSTA. PSTA supports passage of this bill in its current form as it relates to K-12 education. The committee will also address proposed changes in State Board regulations concerning student discipline related to inappropriate use of technology and criteria for moving a teaching license to the Masters +30 level. PSTA supports the revision to the licensing regulation as it would reduce barriers to teachers earning the Masters +30 designation.

Membership Advocacy
Suggestions for the Week Ahead



1. Contact House Regarding Teacher Vaccinations- Even if you have already done so, please consider immediately contacting your member of the House of Representatives in support of S. 516. *While there are House bills that also seek to move educators to Phase 1A, PSTA supports passage of S. 516 as it can be passed into law more quickly since it has already been passed by the full Senate.* You can find the [contact information of your Representative by entering your address at this link](#). In communicating with your Representative, please [consider using these talking points](#) to inform your advocacy. Based on this week's subcommittee hearing, it is very apparent that members of the House are seeking a solution that will not lead to delays in vaccine access for the elderly (which is something PSTA supports). *As a result, it is essential that advocacy on this effort be focused on finding solutions to vaccinate both educators and the elderly instead of framing this as a situation where the state seeks to vaccinate either the elderly OR educators.* **Advocacy on this issue is time sensitive as legislative action needs to occur soon in order to give educators vaccine access prior to a potential statewide mandate for five day, face-to-face instructional options.**
2. Contact Senators Regarding Step Increases- There is a strong possibility that the full Senate will review H. 3609 this week, which would retroactively award the full step increase for the 2020-2021 school year to eligible educators. While there appears to be strong consensus to pass this legislation, nothing can be assumed until the measure is signed into law. Please find the contact information for your [Senator by entering your address at this link](#).
3. Provide Feedback to PSTA- Throughout the legislative session, PSTA staff will be providing testimony whenever possible for committee review of education-related legislation. In order to ensure that testimony is aligned to the experiences and concerns of our members, we have created a [feedback form for membership](#) to share their thoughts on upcoming legislation. PSTA staff would love to hear from you!
4. Follow PSTA on Twitter- For quick access to a concise record of who said what during debate in the General Assembly, please consider following PSTA on Twitter- [@PSTANews](#).